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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,425	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.734	5219

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EXAMINER

SHERR, CRISTINA O

ART UNIT	PAPER NUMBER
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2161

DATE MAILED: 01/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/382,425

Applicant(s)

MATHEWS ET AL.

Examiner

Cristina Owen Sherr

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

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### **DETAILED ACTION**

**Claims 1-10 have been examined.**

#### ***Drawings***

2. The Draftsperson has objected to the drawings; see the copy of Form PTO-948 for an explanation.

#### ***Specification***

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Perkowski (US 5,918,214A).

6. Perkowski teaches a method for interfacing a user location on a network to a destination location on the network, comprising the steps of:

scanning a bar code having product information contained therein 5 relating to an associated product, which bar code has no network routing information contained therein (Col. 3 In 12-20);

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extracting product information contained within the bar code (Col. 3 In 12-20);  
defining routing information over the network from the user location to the destination location in response to the steps of scanning and extracting, which routing information defines the location of the destination location on the network (Col. 9 In 65 – Col 10 In 11);  
and  
interconnecting the user location to the destination location in accordance with the defined routing information (Col. 9 In 65 – Col 10 In 11);  
further the comprising the steps of receiving information from the destination location in response to interconnecting thereto and displaying the received information (Col 10, In 25-60);  
wherein the bar code is disposed on or in close association with the associated product .  
wherein the bar code comprises a UPN bar code (Col. 9 In 65 – Col 10 In 3);  
wherein the step of defining the routing information comprises defining a universal resource locator (URL) of the destination location over the network in response to the step of scanning and extracting (Col 10, In 63 – Col 11 In 7);  
wherein the step of defining routing information comprises the step of determining the existence of predetermined association between the scanned bar code and routing information for the destination location on the network (Col 12 In 37-50);  
wherein the step of determining the predetermined association comprises the step of accessing a database of a plurality of predetermined associations between a plurality of bar codes and associated routing information and determining if there is a corresponding bar code in the database (Col 12 In 37-50);  
wherein the step of accessing comprises the steps of:  
transmitting the extracted information from the bar code to an intermediate location on the network (Col 12, In 30-36);  
providing an associative database at the intermediate location, which associative database has stored therein the plurality of bar codes and associated routing information (Col 12, In 30-36);

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comparing the extracted information in the bar code received at the intermediate location with the database (Col 12, ln 30-36); and

if there is a corresponding bar code in the database to the extracted information in the bar code, returning the routing information to the user's location (Col. 12 ln 51-60).

7. Perkowski does not, however, disclose the method described above wherein the bar code comprises an ISBN bar code or an EAN bar code. However, it would be obvious to one of ordinary skill in the art to combine the method above with either an ISBN or an EAN bar code, as easily as with the UPN bar code described above for greater flexibility in the use of the system.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

9. Perkowski, in US 5,950,173A discloses a system and method for delivering consumer product related information to consumers within retail environments using internet-based information servers and sales agents.

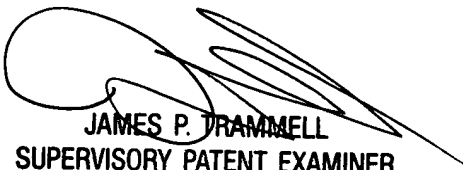
10. Perkowski, in US 6,064,979A, discloses a method of and system for finding and serving consumer product related information over the internet using manufacturer identification numbers.

11. Any inquiry concerning this communication from the Examiner should be directed to Cristina Owen Sherr, whose telephone number is (703) 305-0625. The Examiner can normally be reached on Mondays through Fridays from 8:30 AM - 5:00 PM.

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12. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James Trammell, can be reached at (703) 305-9768. The FAX phone number for this group is (703) 746-7239.

13. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist, whose telephone number is (703) 305-3900.



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